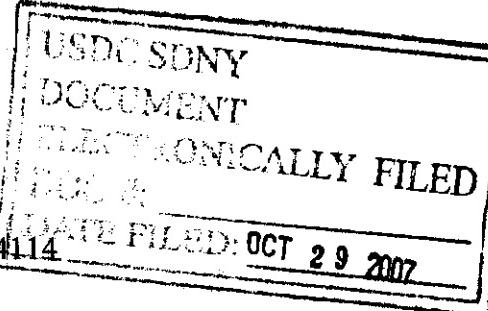


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE GREAT ATLANTIC & PACIFIC
TEA COMPANY INC.,

Case No. 07-CV-4114



Plaintiff,

CONSENT ORDER

v.

MICHAEL SISIA,

Defendant.

THE MATTER IN CONTROVERSY in the above-captioned action having been amicably adjusted by and between the parties, the parties hereby agree and stipulate that the action be and hereby is dismissed in its entirety and with prejudice, without attorneys fees or costs to any party.

FISHER & PHILLIPS, LLP



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October 10, 2007

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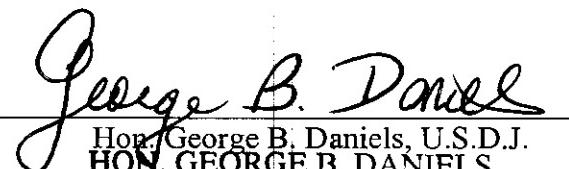
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October 22, 2007

IT IS SO ORDERED:

OCT 29 2007

Dated: October , 2007


Hon. George B. Daniels, U.S.D.J.
HON. GEORGE B. DANIELS